

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

United States District Court  
Southern District Of Texas  
FILED

UNITED STATES OF AMERICA

V.

Ivan Ochoa-Montalvo

MAY 1 2019

CRIMINAL COMPLAINT

David J. Bradley, Clerk

Case Number: M-19-0990-M

IAE

YOB: 1995

Mexico

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about April 30, 2019 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near Abram, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not therefore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Ivan Ochoa-Montalvo was encountered by Border Patrol Agents near Abram, Texas on April 30, 2019. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on April 30, 2019, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on February 14, 2019, through Brownsville, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On February 13, 2019, the Defendant was convicted of 8 USC 1326 Alien Unlawfully Found in the United States after Deportation and was sentenced to time served.

Approved Asa LAURA GRACIA  
7-2

Continued on the attached sheet and made a part of this complaint:

Sworn to before me and subscribed in my presence,

May 1, 2019

J. Scott Hacker, U.S. Magistrate Judge  
Name and Title of Judicial Officer

☐ Yes ☒ No

Signature of Complainant

Mickel Gonzalez

Senior Patrol Agent

Signature of Judicial Officer